CVILLE PLANS TOGETHER

Welcome!

ZONING REWRITE

COMMUNITY OPEN HOUSE

At today's event, please:

1. Sign In

2. Learn about the Zoning Rewrite and Draft Modules at the display boards

3. Provide your feedback on the web or paper form *(Deadline for comments: June 18)*

There is not a presentation today.
Recorded presentations are available on the website linked below for all three Modules.

Review Draft Modules

CvillePlansTogether.com

Comment Form

Module 3: rebrand.ly/Zoning3

There are also paper forms available today.

MODULE OVERVIEW

- The new Zoning Ordinance was drafted in three “Modules,” which are pieces of the draft zoning. All three are available to review.
- The comment period for Modules 1 and 2 was open through April 30. Please share comments about Module 3 by June 18.

Module 1	Module 2	Module 3
• Zoning Districts, Rules of Measurement, Use Table, Zoning Map	• Development Standards (landscaping, parking, signs, lighting, etc.)	• Subdivision & Development Plan Standards; Administration (review processes)

Module 3 is the focus of this meeting

MODULE 1 & 2 UPDATES (SO FAR)

Based on feedback from the Planning Commission and Council, as well as input from the Technical Team (City staff and consultant team) **we are planning revisions to Modules 1 & 2**, including (but not limited to):

<u>Module 1</u>

- Adding an Applicability Table
- Adding district summary images and intent language
- Allowing parking in the front and side yard for 1- and 2-unit dwellings
- Increasing minimum/maximum setbacks to allow more space for landscaping and sidewalks
- Clarifying how height is measured

<u>Module 2</u>

- Lighting section updates (dark skies best practices)
- Block, access, and street standards moved out of Module 2 to Module 3

We are continuing to review community feedback we received, and additional changes may be added. Staff are reviewing comments for potential changes to both the draft zoning ordinance and the draft zoning map.

MODULE 3 OVERVIEW

Module 3 Contains Two Parts: Article 5 & Article 6

Article 5: Subdivision and Development Plan Standards

- **General Provisions** (general rules and identification of when other standards apply)
- **Subdivision** (standards for lots, easements, etc.)

- **Blocks & Access** (standards to provide a well-connected street network and pedestrian, bike, and vehicular access that is safe, direct, and convenient)

- **Streets** (standards for street types, streetscapes, and design elements that reflect the character of different areas within the City and and create a network that promotes an active public realm and creating safe and convenient facilities for pedestrians and bicyclists)

- **Utilities** (standards for connections to utilities, stormwater management, undergrounding new utilities, etc.)

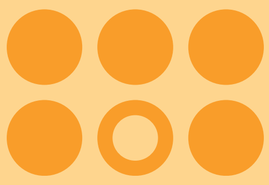
- **Fees & Dedications** (off-site improvement contributions, dedications of land for public use, etc.)

Note about Article 5:

- Parts of Article 5 were originally contained in Module 2 (Blocks, Access, Streets) and others were contained in a separate Chapter of the City code (Subdivision - Chapter 29). We brought these sections into Module 3 so that subdivision and development plan standards are all in the same location.

Article 6: Administration

- **Authority** (review and approval authority of various review bodies and officials that implement and administer this Code)
- **Approval Processes** (application requirements, public notice/ hearing requirements, zoning review requirements, etc.)



- **Nonconformities** (provide relief from the requirements of the Zoning Code for any existing lot, building or structure, or use that does not conform to current requirements of this Zoning Code.)

- **Enforcement** (authorities and processes for enforcing the zoning ordinance)

HOW TO USE SUBDIVISION & DEVELOPMENT PLAN STANDARDS PAGES

- The Applicability Table provides information on which standards apply to which project types.
  - Where a Section applies, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.
  - The general applicability in the table may be further modified by the specific applicability provisions in each Section.
  - This table in Module 3 is the same format as the table contained in Module 2, but Subdivision has been added.

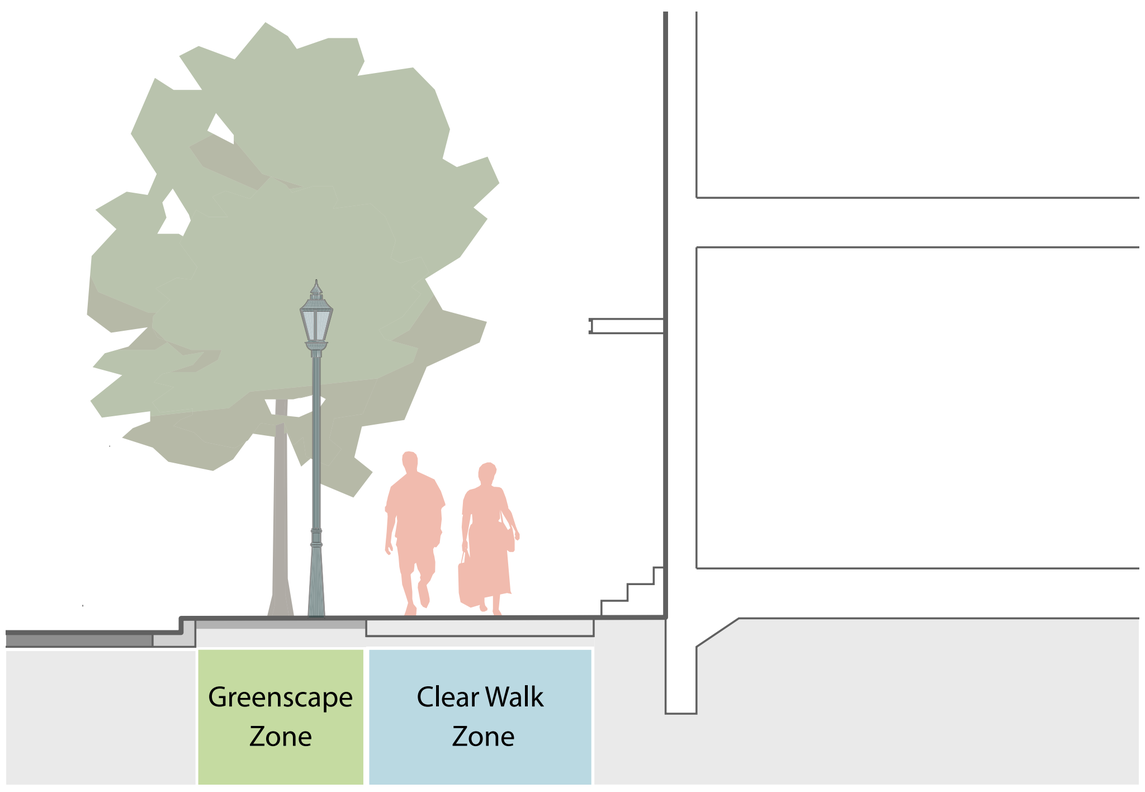
		PROJECT TYPE							
STANDARDS		Subdivision	New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Subdivisons	*Sec. XX.XX*	●	○	○	○	○	○	○	○
Blocks and Access	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Streets	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Utilities	*Sec. XX.XX*	●	●	○	●	○	○	○	○
Fees and Dedications	*Sec. XX.XX*	●	●	○	●	○	○	○	○

KEY: ● = Standards generally apply ○ = Standards do not apply

KEY UPDATES: SUBDIVISION

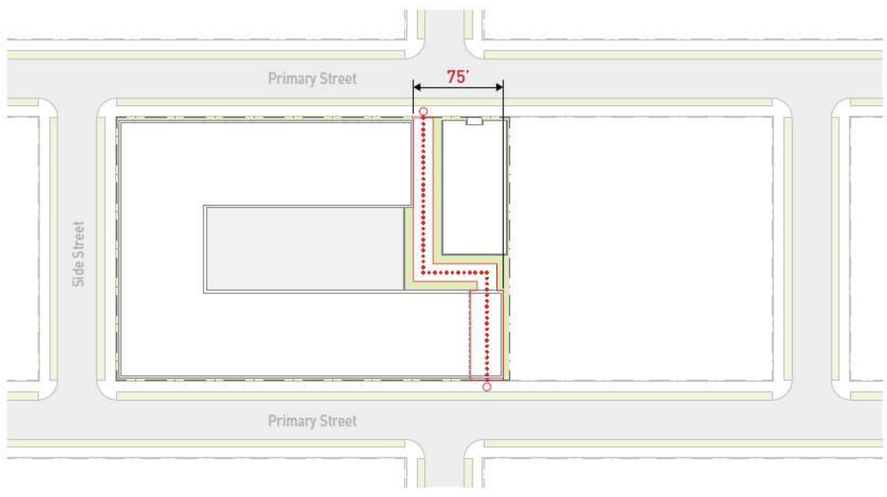
- **Lots**
  - **Standards from the current code (Chapter 29) are integrated into this Section.** In Module 1, there are standards for lots (minimum widths, size). This article contains rules for regular shapes, to avoid challenging lot shapes.
  - **Standards for lots to front on streets**, to help maintain pedestrian and vehicular access.
- **Easements (similar to existing language)**
  - **Standards for utility access** (e.g., water and sewer lines, stormwater drainage)
  - **Standards for vehicle and pedestrian access** (e.g., cross-access, driveways, walkways)

KEY UPDATES: BLOCKS, ACCESS, STREETS, UTILITIES, FEES



STREET CLASSIFICATION	MINIMUM WIDTH REQUIRED	
	Clear Walk Zone	Greenscape Zone
Mixed Use A	7′	8′
Mixed Use B	7′	6′
Downtown	6′	8′
Industrial	6′	6′
Neighborhood A	6′	5′
Neighborhood B	6′	5′
Local	6′	5′

iv. A pedestrian passageway may vary up to 75 feet from the access point on the primary street, measured parallel to the primary street lot line.



- **Blocks and Access**
  - Standards from Module 2 (Development Standards) integrated into Article 5.
- **Streets**
  - Standards from Module 2 (Development Standards) integrated into Article 5.
- **Utilities**
  - Standards from current code (Chapter 29) integrated into this Section.
  - Requirements for connecting to existing utilities, undergrounding new utilities, etc.
- **Fees and Dedications**
  - Standards from current code (Chapter 29) integrated into this Section.
  - Land dedication for public use, infrastructure/utilities for public use, etc.

HOW TO USE THE ADMINISTRATION PAGES - REVIEW AUTHORITY

- The Table of Authority summarizes the review and approval authority of various review bodies and officials that implement and administer the Code.
- Processes have been brought into alignment with what state law requires.

		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE			
APPROVAL PROCESSES		Zoning Administrator	Subdivision Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted	Website
Comprehensive Plan Review											
Comprehensive Plan Adoption	*Sec. XX.XX*	R				R-PH	D-PH		Y		Y
Comprehensive Plan Amendment	*Sec. XX.XX*	R				R-PH	D-PH		Y		
Review of Public Facilities	*Sec. XX.XX*	R				D	A				
Zoning Amendment	*Sec. XX.XX*										
Zoning Text Amendment		R				R-PH	D-PH		Y		
Zoning Map Amendment (Rezoning)											
1 to 25 parcels		R				R-PH	D-PH	Y	Y	Y	
More than 25 parcels		R				R-PH	D-PH		Y		
Historic Review											
Minor Historic Review	*Sec. XX.XX*	D		A							
Major Historic Review	*Sec. XX.XX*	R		D			A		Y	Y	
Corridor Review	*Sec. XX.XX*	D				A					
Development and Subdivision Review											
Development Plan	*Sec. XX.XX*	D				A					
Minor Subdivision	*Sec. XX.XX*		D			A					
Major Subdivision	*Sec. XX.XX*										
Preliminary Plat			R			D					
Final Plat			D			A					
Permit Review	*Sec. XX.XX*										
Tree Removal Permit		D			A-PH				Y*		
Floodplain Permit		D			A-PH				Y*		
Sign Permit		D			A-PH				Y*		
Temporary Use Permit		D			A-PH				Y*		
Relief											
Administrative Modification	*Sec. XX.XX*	D			A-PH			Y	Y*		
Variance	*Sec. XX.XX*	R			D-PH			Y	Y	Y	
Floodplain Variance	*Sec. XX.XX*	R			D-PH			Y	Y	Y	
Special Use Permit	*Sec. XX.XX*	R				R-PH	D-PH	Y	Y	Y	
Critical Slopes Special Exception	*Sec. XX.XX*	R				R-PM	D-PM	Y			Y

KEY: R = Review / Recommend D = Final Decision -PH = Public Hearing -PM = Public Meeting A = Appeal
Y = Required Notice Y* = Required Notice for Appeals

HOW TO USE THE ADMINISTRATION PAGES - APPROVAL

There are several pieces of important information on these pages:

1. **Name of the approval process** (here, Minor Subdivision): The Section number and title match the Section linked on the Summary of Review Authority Table.
2. **Flowchart**: Shows how you move from one step to another.
3. **Applicability**: Tells you when this process applies.
4. **Application Requirements**: Required steps for submitting an application.
5. **Review and Decision Process:** Who is reviewing the application, and when; what are they submitting to the next person that ultimately makes the decision, and what is the time frame associated with those steps.
6. [Not always included] **Criteria for Decisionmaking** (here, Boundary Line Adjustments): Criteria for approval or denial.
7. [Not always included] **Action After the Decision**: Once approved or denied, these processes can be pursued (permits for construction, appeals, etc.).

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6.2.10. Minor Subdivision

A. Applicability

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1. Minor Subdivision applies to the division of land for the purpose of sale, lease, or building development when:
   a. No more than 5 zoning lots are created;
   b. Zoning lots are subdivided into sublots; and
   c. No new street or right-of-way is created to serve the project.
2. Minor Subdivision applies to boundary line adjustments.

B. Application Requirements

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1. Pre-Application Conference

a. Before submitting a Minor Subdivision application, an applicant must schedule a pre-application conference with the Subdivision Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Zoning Administrator.

b. At the pre-application conference, the Subdivision Administrator will determine if the application qualifies as a Minor Subdivision. If the Subdivision Administrator determines the application qualifies as a Major Subdivision, the application will be processed according to the procedures in *Sec. XX, Major Subdivision*.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Subdivision Administrator. Other general submittal requirements for all development review applications are listed in *Sec. XX, Common Review Procedures*.

C. Review and Decision Process

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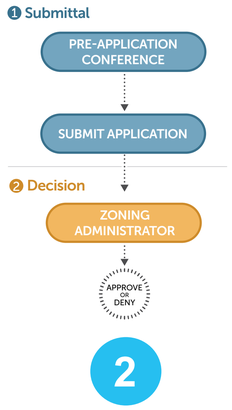
1. Administrative Decision

a. Once the Subdivision Administrator determines the application is complete, the Subdivision Administrator will review the proposed application against the requirements of this Code and other applicable technical requirements of the City.



b. In reviewing the application, the Subdivision Administrator will distribute the application for consultation and review by other City departments.

c. Following review, the Subdivision Administrator will approve, approve with conditions, that bring the application into conformance with this Code and other technical requirements of the City, or deny the application.

d. Review Time

i. The Subdivision Administrator must act on any Final Plat application within 60 days after the complete application has been officially submitted for approval, or within 45 days after the application has been modified, corrected, and resubmitted for approval.

ii. If approval of a feature of a Final Plat application by a state agency is necessary, the Subdivision Administrator must forward the application to the state agency within 10 days of receipt of such application, and the Subdivision Administrator must act on the application within 35 days of receipt of approvals from all state agencies.

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D. Criteria for Boundary Line Adjustments

1. The boundary lines of any lot or parcel of land may be vacated, relocated, or otherwise altered by recordation of a deed or boundary line adjustment plat, without vacation of a recorded plat, provided that no easements or utility rights-of-way located along any lot lines to be vacated may be extinguished or altered without the express consent of all persons holding any interest therein, and such consent must be evidenced by the signatures of such persons on the deed.
2. The action must not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas. The deed reflecting the boundary line adjustment will reference the recorded plat by which the applicable lot lines were originally created, and the deed must be approved in writing, on its face, by the City Attorney.
3. The lots affected by a boundary line adjustment must have been:
   a. Part of an otherwise valid and properly recorded and approved subdivision plat; or
   b. Part of a properly recorded deed prior to the adoption of the first subdivision ordinance of the City that required an approved subdivision plat under the applicable circumstances.

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E. Action After the Decision

1. Permits for Construction

Upon approval of a Development Plan, permits for construction required by the City Code of Ordinances Chapter 5 - Building Regulations; Property Maintenance and Chapter 10 - Water Protection may be prepared and submitted.

2. Appeal of Decision

For applications decided by the Subdivision Administrator, the applicant will have 10 days from the date of the director's decision to appeal the decision to the Planning Commission, in accordance with the *Code of Virginia § 15.2-2259*.

KEY UPDATES: APPROVAL PROCESS

- **Entrance Corridors**
  - Many of the base design guidelines (width, height, "build to lines" - distance to street) will be incorporated into the Zoning Districts.
  - Review for compliance with Design Guidelines will be administrative, with an ability to appeal to the Planning Commission.
- **Development Plans**
  - Right now, some projects have to go through an extensive Site Plan process.
  - Proposed Development Plans process will require review at a conceptual level for most projects, to check zoning compliance before they are fully engineered. After that, project developer can apply for engineering and building permits.
- **Tree Removal Permit**
  - Current zoning code has tree canopy requirement but there isn't a mechanism for confirming compliance.
  - Proposed updates allows for review for compliance with minimum tree canopy requirements.
- **Administrative Modification**
  - Allows Zoning Administrator to approve up to 10% modification to some dimensional standards. These are for projects with unique characteristics such as challenging sites, steep topography, heritage trees, etc.
  - Does not allow for any modification to standards such as density, height, development bonuses, or use standards.
- **Public Process**
  - Requirements for community meetings and public hearings in relation to development proposals are adjusted to match state law.

KEY UPDATES: NONCONFORMITIES & ENFORCEMENT

- **Nonconformities**
  - Standards for existing lots, buildings or structures, and uses that existed before adoption of the code and do not meet all current standards.
  - Includes rules for ability to continue uses, permitted changes, ability to expand, and allowed alterations or replacement.
- **Enforcement**
  - Standards from current code (Chapters 29-Subdivision and 34-Zoning) incorporated in Article 6.

PLEASE SHARE YOUR FEEDBACK

Please share comments related to Module 3 by June 18, 2023.

Option 1: Complete the Feedback Form

Module 3: rebrand.ly/Zoning3

There are also paper forms available today.

Option 2: Send comments via email

Engage@CvillePlansTogether.com (or contact the Cville Plans Together team via the website)

Option 3: Send comments via mail

Neighborhood Development Services
City Hall
P.O. Box 911
Charlottesville, VA 22902

CVILLE PLANS TOGETHER

Do you have any clarifying questions or comments you'd like to share?